

JAN 16 2018

UNITED STATES DISTRICT COURT

PER

FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DEPUTY CLERK

JEREMY PINSON,
PLAINTIFF,

v.

CASE NO.

UNITED STATES OF AMERICA,
DEFENDANT

CIVIL RIGHTS COMPLAINT (FTCA)

I. JURISDICTION AND VENUE:

1. Jurisdiction is asserted pursuant to 28 U.S.C. 1331 and the Federal Tort Claims Act, 28 U.S.C. 2671-80.
2. Venue is asserted proper under 28 U.S.C. 1391 as the events occurred within the Middle District of Pennsylvania.

II. CAUSE OF ACTION:

1. Violation of the Federal Tort Claims Act, 28 U.S.C. 2671-80.

III. SUPPORTING FACTS:

1. During 2016 the plaintiff, who is severely mentally ill and suffers from gender dysphoria, was housed in the SHU of the United States Penitentiary ("USP") Allenwood, Pennsylvania.
2. While housed in SHU an unknown named officer gave the plaintiff a razor blade, and had an obligation to retrieve the razor but did not.
3. It is the policy of the BOP that officers lack the discretion to not retrieve razors.
4. It is the policy of the BOP that when an inmate threatens to commit suicide or self-harm staff have a duty to place that inmate in suicide watch until they can be assessed by a psychologist.
5. Plaintiff did, on June 5, 2016 state she was suicidal to the officer on duty. The plaintiff displayed the razor to the officer in making this statement.
6. Contrary to his obligations under BOP policy the officer failed to retrieve the razor or to contact a psychologist.
7. The plaintiff ingested 100 pills and used the razor to attempt to remove her testicles and scrotum.
8. The plaintiff sustained serious injury and was in severe pain when she was later assessed by medical staff who sent her to the emergency room where she underwent surgery to repair her injuries.
9. Prior to leaving, a nurse who lacks the education and license to perform a surgical act used a pair of unclean pliers to reach into the open wound on her scrotum and forcibly removed a spring resulting in severe pain, injury to the scrotum and the loss of a chunk of flesh.
10. The plaintiff continues to suffer from severe pain in her scrotum that remains untreated by the BOP.

11. All staff who were involved in the 6-5-2106 incident were employees of the United States Government at the time of their actions or inaction.
12. Plaintiffs injuries were preventable and she should have received immediate mental health intervention. The policy mandating such was non-discretionary and was violated by the BOP employees involved.
13. Plaintiff continues to suffer in agonizing pain every single day and is denied pain medication or a referral to a doctor for further surgery.

IV. REQUESTED RELIEF:

1. Plaintiff seeks damages against the United States in the amount of \$1,000,000.00
2. Plaintiff seeks a jury trial.
3. Plaintiff seeks and award of costs and fees.

EXECUTED UNDER PENALTY OF PERJURY PURSUANT TO 28 U.S.C. 1746.



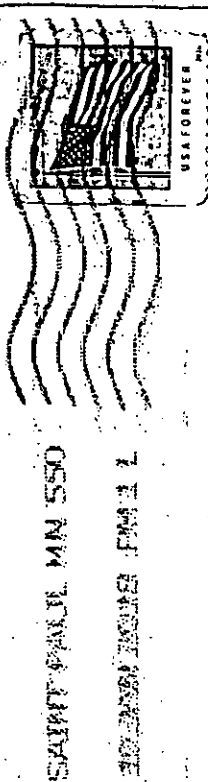
Jeremy Pinson #16267-064

Federal Medical Center

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COMMITTED NAME: Jeremy Stinson
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